

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI

Sentencing Minute Sheet for the Honorable Fernando J. Gaitan, Jr., at Kansas City, MO

UNITED STATES OF AMERICA

Case No: 05-00183-04-CR-W-FJG

vs.

MARTINUS ANTON SAYLES

Date: Thursday, June 15, 2006

Plaintiff Counsel

John E. Cowles, AUSA

Defendant Counsel

Michael Gunter, appt.

Time Commenced: 10:30 a.m.

Time Terminated: 11:00 a.m.

**TOTAL TIME:** 30 minutes

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x Defendant sworn.

x There are unresolved issues regarding the P.S.I. and the Guideline Range to be discussed with the Court: Defendant objects to 3 level enhancement for role as a manager. Argument presented. Based on the information before the Court, the Court sustains defendant's objection. Guideline provision is amended to 24 to 30 months.

x Counsel make statements regarding sentences to be imposed.

x Defendant makes statement on his/her own behalf. Defendant's mother addresses the Court on behalf of her son.

x Allocution granted.

The Defendant is sentenced to Count(s) one .

INCARCERATION:

x The Court hereby orders the defendant to serve the following term of incarceration with the FBOP Thirty (30) Months.

x Defendant is hereby remanded to the custody of U.S. Marshal.

SUPERVISED RELEASE:

x The Court hereby orders the defendant to the following term of Supervised Release. Five (5) Years.

SPECIAL CONDITIONS OF SUPERVISED RELEASE OR PROBATION:

x The following special conditions of Supervised Release or Probation are: (see J&C)

FINE:

x Fine Waived.

RESTITUTION:

  x   The Court imposes the following Restitution: \$51,045.10 jointly and severally with co-defendants payable to victims as listed in the J&C. Lump sum payment due immediately. If unable to pay the full amount immediately, the defendant shall make payments of 10% of earnings while incarcerated, and monthly payments of \$100.00 or 10% of net income, whichever is greater, while on supervision.

SPECIAL ASSESSMENT:

  x   The Court imposes the following Special Assessment: \$100.00 due immediately.

  x   The Court advises the Defendant he/she has the right to appeal.

Court Reporter/ERO: Donna Turner

Bonnie J. Rowland, Relief Courtroom Deputy